



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2224

Introduced 1/11/2006, by Sen. George P. Shadid

SYNOPSIS AS INTRODUCED:

10 ILCS 5/6-21	from Ch. 46, par. 6-21
10 ILCS 5/6-22	from Ch. 46, par. 6-22
10 ILCS 5/6A-3	from Ch. 46, par. 6A-3

Amends the Election Code. Provides that the board of election commissioners of a municipality with a population according to the 2000 federal census of at least 90,000 and no more than 130,000 shall have 5 (now, 3) members. Effective January 1, 2007.

LRB094 15324 JAM 51085 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 6-21, 6-22, and 6A-3 as follows:

6 (10 ILCS 5/6-21) (from Ch. 46, par. 6-21)

7 Sec. 6-21. In every city, village and incorporated town so
8 adopting this Article 6 and Articles 14 and 18 of this Act
9 there shall be created a board of election commissioners. The
10 board in a city, village, or incorporated town with a
11 population according to the 2000 federal census not less than
12 90,000 and not greater than 130,000 shall be composed of 5
13 members, and the board in any other city, village, or
14 incorporated town, which shall be composed of 3 members, each
15 of whom shall be designated as an election commissioner, and
16 shall be appointed by the circuit court in the county in which
17 such city, village or incorporated town shall be located. Each
18 person appointed as an election commissioner shall at the time
19 of such appointment have been a resident of the State of
20 Illinois for the 2 years last past, except that the appointing
21 court may waive the 2 year residence requirement for good cause
22 shown and entered of record. And such appointment shall be
23 entered of record in such court, and when qualified such
24 commissioner shall be an officer of such court. The first
25 appointment of such commissioners shall be within 60 days after
26 the adoption of said Articles, and those first appointed shall
27 hold their offices for the period of 1, 2 and 3 years,
28 respectively, and the judge appointing them shall designate the
29 term for which each one shall hold his office, whether for 1, 2
30 or 3 years. The 2 commissioners appointed pursuant to this
31 amendatory Act of the 94th General Assembly shall be appointed
32 within 60 days after the effective date of this amendatory Act

1 of the 94th General Assembly; the terms of those 2 initial
2 appointees shall conclude on the day in the second calendar
3 year after their appointment that the term of a commissioner of
4 that board appointed before the effective date of this
5 amendatory Act of the 94th General Assembly concludes. If the
6 office of either commissioner shall become vacant, it shall
7 thereupon be the duty of such court to appoint within 60 days a
8 successor for such unexpired term; within 60 days after the
9 expiration of the term for which each commissioner is appointed
10 such court shall, in the same way, nominate and appoint a
11 successor, who shall hold his office for the period of 3 years,
12 and until his successor is appointed.

13 A board of election commissioners is not a unit of local
14 government within the meaning of Section 8 of Article VII of
15 the Constitution of 1970. Appointments of election
16 commissioners on and after July 1, 1971, shall continue to be
17 made by the circuit court in the same manner as before that
18 date.

19 (Source: P.A. 82-1014.)

20 (10 ILCS 5/6-22) (from Ch. 46, par. 6-22)

21 Sec. 6-22. Political party representation. On a 3-member
22 board of election commissioners, 2 ~~Two~~ of such commissioners at
23 least shall always be selected from the 2 leading political
24 parties of the state, one from each of such parties. On a
25 5-member board of election commissioners, 3 commissioners
26 shall always be selected from the same political party
27 represented by the county officer who received the greatest
28 number of votes in the city, village, or incorporated town at
29 the most recent election at which county officers were elected.
30 All commissioners, ~~and all~~ shall be legal voters residing in
31 such city, village or incorporated town, and be persons of well
32 known political convictions and of approved integrity and
33 capacity. No commissioner can hold any other political office.
34 Whenever it shall come to the knowledge of the court that the
35 requirements of this Section for political party

1 representation on the board are not met ~~one of the leading~~
2 ~~political parties of the state is not represented upon such~~
3 ~~commission by a person of the same political faith,~~ the court
4 shall at once remove ~~one of~~ such commissioners as necessary and
5 fill the vacancy or vacancies with a member of the appropriate
6 ~~leading~~ political party or parties to meet the requirements of
7 this Section ~~not so represented.~~

8 (Source: P.A. 80-656.)

9 (10 ILCS 5/6A-3) (from Ch. 46, par. 6A-3)

10 Sec. 6A-3. If the county board adopts an ordinance
11 providing for the establishment of a county board of election
12 commissioners, or if a majority of the votes cast on a
13 proposition submitted in accordance with Section 6A-2 are in
14 favor of a county board of election commissioners, a 3-member
15 county board of election commissioners shall be appointed in
16 the same manner as is provided in Article 6 for 3-member boards
17 of election commissioners in cities, villages and incorporated
18 towns, except that the county board of election commissioners
19 shall be appointed by the chairman of the county board rather
20 than the circuit court. However, before any appointments are
21 made, the appointing authority shall ascertain whether the
22 county clerk desires to be a member of the county board of
23 election commissioners. If the county clerk so desires, he
24 shall be one of the members of the county board of election
25 commissioners, and the appointing authority shall appoint only
26 2 other members.

27 (Source: P.A. 91-358, eff. 7-29-99.)

28 Section 99. Effective date. This Act takes effect January
29 1, 2007.